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## FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF SUSPENSION

Licensee.

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Licensee, having been served with the Order for Summary Suspension and Notice of Hearing and Affidavit of Francie Miller by sheriff on July 25, 2017, did not appear in person or by any other means to present evidence on her behalf or to confront witnesses. The Board appeared by and through its attorney, Kristine K. O'Connell. Administrative Law Judge Catherine Duenwald presided over the proceeding.

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### **FINDINGS OF FACT**

1. That Courtney H. Klein is licensed to practice as a registered nurse in the State of South Dakota and holds license number R037251.
2. On or about March 3, 2017, the Board was notified that Licensee had been terminated from her employment at a community hospital in Nebraska due to discrepancies between the Licensee's withdrawal of narcotic medication and the documentation of the administration of the narcotic in the patient's record.
3. The facility also noted that the Licensee's documentation was inadequate to meet the expectations of the facility.
4. There were reports of patient complaints regarding her administration of medication, as well as Licensee's failure to document her medication administration in the patient's chart.
5. The Licensee's employer requested a drug screen from Licensee. Licensee did not submit the specimen within the timeframe outlined in the facility's drug screen policy.
6. Following the complaint, the investigator sent a letter to the Licensee on March 10<sup>th</sup> regarding the complaint and the investigation and asked the Licensee to contact the Board to set up an informal meeting.
7. As Licensee was in the mountain time zone, she asked to attend the informal meeting via Skype. This was agreeable to the investigator, and it was arranged. Licensee failed to keep her appointment for the call/Skype.

8. Subsequent contact with the Licensee was attempted on April 12, 2017, and again on June 2, 2017. No response was received from the Licensee.

9. On June 21, 2017, the investigator was contacted by the Pennington County Jail advising that Licensee was currently in jail, without bond on felony drug charges and other charges.

10. The jailer reported to the investigator that Licensee was in jail, was jaundiced and was hallucinating.

11. At the time of the hearing, the Licensee continued to be incarcerated in the Pennington County Jail and was unable to bond out of jail.

12. The Licensee has numerous charges against her.

13. The Licensee has committed numerous drug-related acts that would interfere with her ability to practice nursing safely.

From the foregoing findings of fact, the Board draws the following:

#### **CONCLUSIONS OF LAW**

1. That the Board has jurisdiction and authority over this matter pursuant to SDCL §§ 36-9-1.1 and 36-9-49.

2. That the Licensee's conduct as identified in the findings of fact are in violation of SDCL §§ 36-9-49 (4), (5), (7) and (10).

THEREFORE, let an order be entered accordingly.

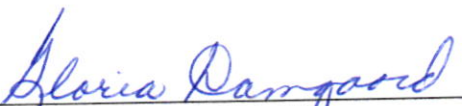
## ORDER

Based on the Findings of Fact and Conclusions of Law, the South Dakota Board of Nursing hereby orders:

1. That the Licensee's license to practice nursing in the State of South Dakota is hereby indefinitely suspended.
2. That the Licensee is hereby notified that any practice of or holding herself out as a registered nurse during the term of this suspension is in violation of SDCL § 36-9-68.
4. That Licensee may petition for reinstatement of her license at any time for "good cause" pursuant to SDCL § 36-9-57.

Dated this 1<sup>ST</sup> day of November, 2017.

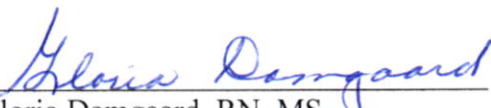
SOUTH DAKOTA BOARD OF NURSING

  
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Gloria Damgaard, RN, MS  
Executive Director

The South Dakota Board of Nursing, at the hearing on the 23<sup>rd</sup> day of October, 2017, approved this Order of Suspension as written by a vote of 7-0, and issues its Order of Suspension consistent herein.

IT IS HEREBY ORDERED that the above Order of Suspension is adopted as an Order of  
the South Dakota Board of Nursing on this 1<sup>st</sup> day of November, 2017.

SOUTH DAKOTA BOARD OF NURSING

  
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Gloria Damgaard, RN, MS  
Executive Director